

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LAMONT FULTON,)
Petitioner,) 13cv00398
) **ELECTRONICALLY FILED**
v.)
THE ATTORNEY GENERAL OF THE)
STATE OF PENNSYLVANIA and)
LARRY MAHALLY, Superintendent of)
SCI Dallas,)
)
Respondents.)

MEMORANDUM ORDER

Pending before the Court is the Petition for Writ of Habeas Corpus filed by Petitioner, Lamont Fulton (doc. no. 5). The matter was referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court for Magistrate Judges.

The magistrate judge filed a Report and Recommendation on December 8, 2015 (doc. no. 24) recommending that the Petition for Writ of Habeas Corpus be denied and that no certificate of appealability be issued. Petitioner was served with the Report and Recommendation at his listed address and was advised that he had until December 28, 2015, to file written objections to the Report and Recommendation. To date, no objections have been filed nor has Petitioner sought an extension of time in which to do so.

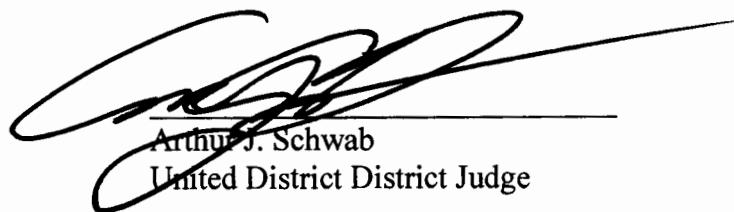
After *de novo* review of the petition and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 4th day of December, 2015, 2016.

IT IS ORDERED that the instant petition for writ of habeas corpus is **DENIED**.

IT IS FURTHER ORDERED that no certificate of appealability shall issue.

The Report and Recommendation filed December 8, 2015 (doc. no. 24) is adopted as the opinion of the Court.



Arthur J. Schwab
United District Judge

cc: LAMONT FULTON
GD-0287
SCI Dallas
1000 Follies Road
Dallas, PA 18612
(via U.S. First Class Mail)

Leanne K. Shipley
Rusheen R. Pettit
Kelly D. Tomasic
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(via ECF electronic notification)